

REGULAR

2

JUNE

2009

3:15 P.M., Fiscal Court Meeting Room, Ohio County Community Center, Hartford, KY

Public Hearing

RE: CRA and LGEA Funds

No written or verbal comments were received. Hearing closed at 3: 25 p.m.

(Copy of those present on file)

3:30 P.M., Ohio County Community Center, Hartford, Ky

Meeting called to order by Judge Executive David Jones. Prayer by Magistrate Dean Minton. Pledge to the American flag.

Those present were as follows:

David G. Jones	Judge Executive
Gregory B. Hill	County Attorney
Cheryl Morris	Fiscal Court Clerk
Hayward D. Minton	Magistrate District 1
Jason Bullock	Absent
Richard Robinson	Magistrate District 3
Larry Keown	Magistrate District 4
Bill Burden	Magistrate District 5

Motion made by Judge Jones that the Court approve the minutes of the regular meeting on May 12, 2009 and the special call meeting on May 22, 2009 as presented. (on file in Fiscal Court Order Book, Clerk’s office)

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve the bills, claims, payments and transfers as presented. (copy on file, Clerk’s office)

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve the Second Reading and Adoption of Ordinance #2009-1-C Budget Amendment (copy on file in Ordinance Book, Clerk’s office).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

REGULAR

2

JUNE

2009

Motion made by Esq. Keown that the Court approve the 2009-2010 Rural Secondary Program Recommendations for Ohio County as presented by the District Two Department of Highways (copy attached).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to accept the bid on the Reverse Auction for Salt from North American Salt in the amount of \$70.77 per ton (copy attached).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court rescind the legislative Order made by this Court during the May 12, 2009 meeting to accept the loan terms from the Bank of Ohio County to borrow \$300,000 for a period of eight (8) years to finance the construction of the new ambulance service building.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to authorize the County Treasurer to secure a loan through the Kentucky Association of Counties (KACo) in the amount of \$300,000 for a period of eight (8) years to finance the construction of the new ambulance building. This action to be retroactive to May 12, 2009.

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court reject the sole bid received from Jacob Phelps in the amount of \$20,210 for the old Emergency Medical Services building and lots located at 108 N. Main Street in Hartford, KY. (copy attached).

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court reject the sole bid received from David Funk in the amount of \$75,200 for the 47.992 acres located at the entrance to the Ohio County Park (copy attached).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

REGULAR

2

JUNE 2009

Motion made by Judge Jones that the Court approve to classify Freddie Lee Baker, Jr., Litter Abatement Officer as Part-time 100 retroactive to his hire date of April 27, 2009. Minutes from the May 12, 2009 did not reflect this classification.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve the transfer of Nathan Geary from Burn Site Monitor to Chipper Crew with the pay rate to remain \$12.50 per hour, but will no longer receive vehicle pay effective June 1, 2009.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve the transfer of Teman Cornett from Chipper Crew #1 to Crew Leader Chipper Crew #2 with a pay rate of \$15.00 per hour effective June 1, 2009.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve Sheriff Elvis Doolin’s transfer of Randy Taylor from full-time Court Security to full-time road Deputy Sheriff with the pay rate to remain \$11.50 per hour effective June 1, 2009 to replace Deputy Chris Shephard who resigned.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve Sheriff Elvis Doolin’s hiring of David Cornellius Coleman as full-time Court Security at a pay rate of \$10.00 per hour effective June 1, 2009 to replace Randy Taylor who was transferred.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Esq. Keown that the Court approve Sheriff Elvis Doolin’s Certification of Delinquent Taxes as presented to and notarized by County Clerk Bess Ralph for 2008 property taxes (copy attached).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Judge Jones that the Court approve to go into Closed Session to discuss personnel issues. Personnel issues will be discussed which entails private and personal information which justifies and requires a Closed Session discussion. No other business will be discussed during the Closed Session and no official action shall be taken or consensus made by the Court. The legal authority that allows us to go into closed session is KRS 61.810(1)(f) which authorizes the Fiscal Court to discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee, member, or student without restricting that employee's, member's or student's right to a public hearing if requested. This exception shall not be interpreted to permit discussion of general personnel matters in secret. The legal reason we are going into closed session is for discussion of personnel issues.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to go back into Open Session. No other business was discussed or action taken during Closed Session except what was stated by me before going into Closed Session regarding personnel issues.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire William G. Luttrell as Part-time 100 Park Department Maintenance/Groundskeeper at a pay rate of \$8.75 per hour to be effective no later than June 21, 2009. Mr. Luttrell is giving two weeks notice to current employer.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire Ronald Tyler as Seasonal employee at the Ohio County Road Department at a pay rate of \$10.00 per hour effective June 8, 2009 contingent upon passing the required pre-employment drug tests.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire Marty L. Jones as Seasonal employee at the Ohio County Road Department at a pay rate of \$10.00 per hour effective June 8, 2009 contingent upon passing the required pre-employment drug tests.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Recommendation by Judge Jones that the Court approve to hire Alex Marie Macke as Part-time PRN dispatcher in the 911 Dispatch Center at a pay rate of \$9.00 per hour effective June 7, 2009.

Roll call vote:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said recommendation was unanimously approved, and it is so ordered.

Motion made by Esq. Keown that the Court approve to award the bid for FY 2009-2010 Item #1 – Contract Haul to the lone bidder, Cemex (copy on file in Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to award the bid for FY 2009-2010 Item #2 – Stone to the lone bidder, Cemex (copy on file in Clerk’s office).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to award the bid for FY 2009-2010 Item #3 – Concrete Mix to the lone bidder, H.B. Stanley, Inc. (copy on file in Clerk’s office).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to award the bid for FY 2009-2010 Item #4 – Steel Pipe to Hanson Pipe & Precast (copies of all bids on file in Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to award the bid for FY 2009-2010 Item #5 – Primer, Tack, & RS-2 Oils to the two bidders, Marathon Petroleum and Asphalt Materials, Inc. (copies on file in Clerk’s office).

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

REGULAR

2

JUNE 2009

Motion made by Esq. Minton that the Court approve to award the bid for FY 2009-2010 Item #6 – Diesel Fuel & Gasoline to all three bidders, Key Oil, Agrigro Farm Center, and Valor Oil-Bowling Green with the County having the discretion to choose the lowest rack price at the time of ordering (copies on file in Clerk’s office).

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Abstain
Keown	Yes
Burden	Yes
Jones	Yes

Said motion having carried four (4) to one (1) abstention it is so ordered.

Motion made by Esq. Keown that the Court approve to award only the \$46.75 per ton Pick-up at Plant bid for FY 2009-2010 Item #7 – Blacktop to the lone bidder, Scotty’s Contracting (copy on file in Clerk’s office).

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to accept the \$63.46 per ton Delivered, Placed and Compacted On Various County Roads in All Parts of County bid for FY 2009-2010 Item #7 – Blacktop received from the lone bidder, Scotty’s Contracting which will be adjusted per each month according to the index as submitted by Thomas Kemp with Scotty’s.

Motion was recalled.

Motion made by Esq. Burden that the Court approve to award the bid for FY 2009-2010 Item #8 – Equipment Lease/Rental to the two bidders, H.B. Stanley, Inc., and E.R. Trucking Co. (copies on file in Clerk’s office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to award the bid for FY 2009-2010 Item #9 – Plastic Pipe to all four (4) bidders, Twin Supply, O.C. Farm & Garden, Ferguson Waterworks, and Keeling Company (copies on file in Clerk’s office).

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Robinson that the Court approve to award the bid for FY 2009-2010 Item #10 – Electrical Work to Heritage Electric (copies on file in Clerk’s office).

The motion was seconded by Esq. Keown and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Burden that the Court approve to award the bid for FY 2009-2010 Item #10 – HVAC Work to H & W Electric (copies on file in Clerk’s office).

REGULAR

2

JUNE 2009

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Minton that the Court approve to award the bid for FY 2009-2010 Item #11 – CDL Physicals to Bluegrass Regional Healthcare (copies on file in Clerk’s office).

The motion was seconded by Judge Jones and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to authorize the County Treasurer to establish a Line of Credit with the Bank of Ohio County for funds, if needed, in order to provide for continuity of the proposed road improvements in all magisterial districts with any borrowed funds to be deposited into the Road Fund Account #326-3.

The motion was seconded by Esq. Burden and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the Court approve to designate 50% of any unanticipated revenue received during FY 2009-2010 beyond the total budgeted revenue accounts to be transferred into the Road Fund Account #326-3.

The motion was seconded by Esq. Robinson and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Motion made by Esq. Keown that the meeting is adjourned.

The motion was seconded by Esq. Minton and after discussion of said motion the vote being called for was as follows:

Minton	Yes
Bullock	Absent
Robinson	Yes
Keown	Yes
Burden	Yes
Jones	Yes

And said motion was unanimously adopted, and it is so ordered.

Meeting is adjourned.

David Jones, Judge Executive

Cheryl Morris, Fiscal Court Clerk